

Message Text

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C O N F I D E N T I A L OTTAWA 2761

E.O. 11652: GDS

TAGS: EAIR, ELAB, PINT, CA

SUBJ: POSSIBLE RESPITE IN BILINGUAL AIRSPACE DISPUTE

REF: OTTAWA 2691; OTTAWA 2719

1. SUMMARY: THREE-MAN COMMISSION OF INQUIRY INTO WHETHER BILINGUAL AIR TRAFFIC CONTROL CAN SAFELY BE INTRODUCED AT MONTREAL AIRSPACE HELD FIRST MEETING JULY 6 AND FOUND ITS TERMS OF REFERENCE AND RELATED CONDITIONS ACCEPTABLE. WHILE COMMISSION ARTFULLY DODGED SOME OF ISSUES, STAGE NOW SET FOR TEMPORARY COOLING-OFF PERIOD OF COOLER HEADS AMONG FRANCOPHONE AND ANGLOPHONE AIR PERSONNEL PREVAIL. OPPOSITION LEADER CLARK SEEKING WITH QUALIFIED SUCCESS TO KEEP LOW PROFILE ON ISSUE AND PREVENT IT FROM DAMAGING HIS PARTY'S FLEDGLING AND FRAGILE UNITY. QUEBEC PREMIER BOURASSA ATTEMPTING MITIGATE PRO-SEPARATIST EFFECTS OF ISSUE, AT SAME TIME USING IT TO BUTTRESS HIS CONSTITUTIONAL ARGUMENT WITH TRUDEAU. END SUMMARY.

2. LATEST MAJOR DEVELOPMENT IN ISSUE OF BILINGUALISM AT MONTREAL AIRPORTS HAS BEEN PUBLICATION OF LETTER TO TRANSPORT MINISTER LANG FROM THREE COMMISSIONERS EXPRESSING THEIR VIEW THAT TERMS OF REFERENCE UNDER WHICH
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THEY ARE TO OPERATE ARE ACCEPTABLE. COMMISSIONERS FEEL

THAT THEIR FREEDOM OF ACTION AND JUDGMENT ARE NOT COMPROMISED BY GOC AGREEMENT WITH CATCA/CALPA (AIR TRAFFIC CONTROLLERS AND PILOTS).

3. CONCERNING REQUIREMENT FOR UNANIMITY OF THEIR FINAL REPORT, COMMISSIONERS BEG THE QUESTION. THEY TAKE POSITION THAT, WHILE GOC HAS AGREED THAT PREREQUISITE TO EXPANSION OF BILINGUAL AIR TRAFFIC CONTROL IS UNANIMOUS REPORT OF COMMISSION THAT EXPANSION CAN BE ACCOMPLISHED WITHOUT IMPAIRING SAFETY STANDARDS, COMMISSION NOT THEREBY BOUND TO MAKE UNANIMOUS FINDING. FEDERAL INTERPRETATION ACT PERMITS THEM TO SUBMIT MAJORITY REPORT. THEY ALSO FIND NOTHING RESTRICTIVE IN REQUIREMENT THAT CATCA/CALPA COMMENTS BE APPENDED TO THEIR REPORT SINCE NORMAL COMMISSION PRACTICE IS TO SUBMIT WITH THEIR REPORT PERTINENT DOCUMENTATION, IT BEING THEN UP TO THE GOC TO DECIDE WHICH ACCOMPANYING DOCUMENTS TO PUBLISH. ON REQUIREMENT THAT EXPERTS USED BY THE COMMISSION BE DRAWN FROM LIST JOINTLY DRAWN UP BY GOC AND CATCA/CALPA, COMMISSIONERS NOTE THAT FINE PRINT OF AGREEMENT DOES NOT LIMIT THEM TO CHOOSING EXPERTS FROM THAT LIST; THEY COULD, FOR INSTANCE, CHOOSE EXPERTS FROM A LIST SUBMITTED BY THE FRANCOPHONE AIR PERSONNEL ASSOCIATION (AGAQ). THEY ALSO DISMISS AS NOT LIMITING THEIR FREEDOM THE REQUIREMENT THAT THEY NOT INDICATE THAT SAFETY HAS BEEN DEMONSTRATED UNLESS THEY CAN JUSTIFY BEYOND A REASONABLE DOUBT THAT A CONTRARY CATCA/CALPA VIEW SHOULD NOT PREVAIL. THE COMMISSIONERS MAINTAIN THAT THEY ARE NOT OBLIGED TO EXPLAIN WHY THEY MIGHT DISCOUNT CATCA/CALPA VIEWS. ON THE REQUIREMENT THAT THEIR FINAL REPORT BE SUBMITTED FOR FREE VOTE IN COMMONS, COMMISSIONERS SIMPLY STATE THAT WHAT HAPPENS TO THEIR REPORT AFTER SUBMISSION TO GOC IS GOC'S CONCERN, NOT THEIRS.

4. ANOTHER ELEMENT IN SITUATION IS POSITION OF PROGRESSIVE CONSERVATIVE PARTY LEADER JOE CLARK. IN HIS LETTER OF RESIGNATION, ENVIRONMENT MINISTER MARCHAND HAD ACCUSED CLARK OF PLAYING PETTY POLITICS WITH THE ISSUE RATHER THAN PUTTING THE COMMON GOOD OF THE COUNTRY AHEAD OF SHORT-TERM POLITICAL ADVANTAGE

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AS, MARCHAND CLAIMED, CLARK'S PREDECESSOR STANFIELD WOULD HAVE DONE. THIS WAS IN FACT A RATHER CHEAP SHOT BY MARCHAND, SINCE CLARK HAD ADHERED FAIRLY CLOSELY TO LOW-PROFILE LINE THAT PC PARTY SUPPORTS BILINGUALISM AND WOULD SUPPORT ITS EXPANSION INTO MONTREAL AIR SPACE IF COMMISSION FINDS EXPANSION CAN BE ACCOMPLISHED SAFELY. CLARK HAD LIMITED HIS CRITICISM OF GOC ON ISSUE OF MISHANDLING OF IT (WHICH FEW WOULD CONTEST).

5. CLARK'S ABILITY TO KEEP HIS HEAD DOWN HAS BEEN COMPLICATED BY A MIX-UP IN SCHEDULED MEETING BETWEEN HIM AND AGAQ REPRESENTATIVES. CLARK HAD PUBLICLY EXPRESSED THE OPINION THAT AGAQ SHOULD PARTICIPATE IN THE INQUIRY ON EQUAL BASIS WITH CATCA/CALPA AND HAD INDICATED AN INTEREST IN HEARING AGAQ VIEWS. HE PROPOSED MEETING IN OTTAWA JULY 5. AGAQ REPLIED THEY COULDN'T MAKE OTTAWA MEETING AND PROPOSED MONTREAL, WHICH CLARK COULDN'T MAKE. AGAQ TOOK THIS TO MEAN THAT CLARK WAS BACKING AWAY UNDER ANGLOPHONE PRESSURE (TO WHICH THERE MAY BE SOME SUBSTANCE) AND BITTERLY ATTACKED HIM IN A TELEGRAM THEY MADE PUBLIC FOR NOT DENOUNCING BOTH CATCA/CALPA AND ITS AGREEMENT WITH THE GOC WHICH MADE CLARK "AN ACCOMPLICE OF THE BIGOTS WHO WISH TO MAKE BILINGUALISM FAIL." AGAQ PRESUMABLY ALSO ANGERED BY HIS CALL FOR THEM TO PARTICIPATE IN INQUIRY SINCE THEY MAINTAIN THEY CANNOT UNLESS TERMS AND CONDITIONS ALTERED. CLARK RESPONDED WITH CONCILIATORY MESSAGE REPEATING HIS INTEREST IN MEETING WITH AGAQ IN ORDER TO HAVE CLARIFICATION OF THEIR VIEWS AND IN HOPE CONTRIBUTE TO SOLUTION OF PROBLEM.

6. MORE IMPORTANT FOR CLARK IS EFFECT OF THE ISSUE ON HIS PARLIAMENTARY CAUCUS AND BY EXTENSION THE UNITY OF THE PC PARTY. SO FAR CAUCUS HAS HELD FIRM WITH MEMBERS AVOIDING PUBLIC PRONOUNCEMENTS WITH THE EXCEPTION OF ONE PC MP WHO LIMITED HIMSELF TO LECTURING HIS COLLEAGUES AGAINST "BOTTLING UP" ISSUE SINCE TO DO SO WOULD RISK BIGGER EXPLOSION IN FUTURE. CLARK'S ABILITY TO PRESERVE THE DEGREE OF PARTY UNITY HE HAS SO FAR PATCHED TOGETHER SINCE THE LEADERSHIP CONVENTION IS LIKELY TO BE TESTED WHEN COMMONS CALLED UPON TO VOTE
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ON COMMISSION'S REPORT. HOWEVER, FACT THAT COMMONS VOTE WILL BE FREE WILL REDUCE POTENTIAL DIVISIVE EFFECTS SINCE MPS WILL NOT HAVE TO DEFY PARTY DISCIPLINE IN VOTE ONE WAY OR THE OTHER.

7. QUEBEC PREMIER BOURASSA HAS SOUGHT TO MINIMIZE THE ADVANTAGE THE ISSUE GIVES TO THE SEPARATIST PARTI QUEBECOIS AND AT SAME TIME SCORE POINTS IN CONTINUING CONSTITUTIONAL DEBATE WITH TRUDEAU. HE CITED THE ISSUE AS PROVING HIS ARGUMENT THAT QUEBEC MUST HAVE STRONGER CULTURAL GUARANTEES IN THE CONSTITUTION, WHICH CAN BE ACHIEVED WITHIN A FEDERAL FRAMEWORK, SEPARATISM BEING "OUTMODED." WHILE CONDEMNING THE GOC/CATCA/CALPA AGREEMENT AS A "POLITICAL STUPIDITY", HE NONETHELESS COUNSELLED IN FAVOR OF RESERVING JUDGMENT PENDING THE

RESULTS OF THE COMMISSION OF INQUIRY.

8. LIBERAL MPS FROM QUEBEC RIDINGS RETURNED FROM THEIR LONG WEEKEND APPARENTLY PREPARED TO FOLLOW MARCHAND'S LEAD IN CONTINUING TO WORK WITHIN THE PARTY AND CAUCUS FOR THEIR BILINGUAL GOALS. COMMUNICATIONS MINISTER JEANNE SAUVE PROBABLY REFLECTED THE GENERAL ATTITUDE OF QUEBEC FEDERAL LIBERALS: SHE CRITICIZED THE GO/CATCA/CALPA AGREEMENT AS "KNEELING DOWN TO THE FANATICS" AND SAID IT WOULD BE "DIFFICULT TO LIVE WITH." SHE ASSERTED THAT "WE ARE UNITED IN BELIEVING IT WAS A BAD AGREEMENT", THEN ADDED, AFTER A GLANCE FROM PM TRUDEAU, "BUT THE BEST POSSIBLE THAT WE COULD HAVE HAD UNDER THE CIRCUMSTANCES."

9. COMMENT: COMMISSION'S UNANIMOUS ACCPETANCE OF THE CONDITIONS OF THE INQUIRY AND ITS IMPLIED INVITATION TO AGAQ TO PROVIDE VIEWS TO BALANCE THOSE OF ANGLOPHONES IN CATCA/CALPA PROVIDE ELEMENTS FOR A TEMPORARY COOLING OF THE ISSUE, IF AGAQ SUFFICIENTLY MOLLIFIED TO GIVE UP ITS OPPOSITION TO COOPERATION WITH COMMISSION AND IF CATCA/CALPA DO NOT REACT BY CALLING "FOUL." SITUATION STILL TENSE, PUNCTUATED WITH SUCH POTENTIALLY EXPLOSIVE OCCURRENCES AS STATMENT ATTRIBUTED TO ANGLOPHONE CONTROLLER IN MONTREAL THAT HE REQUESTING TRANSFER BECAUSE WORKING ALONGSIDE FRANCOPHONES "MAKES ME SICK." WITH ANY LUCK, GOC WILL BE ABLE AVOID FURTHER CONTRONT-
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ATION ON BILINGUAL ISSUE AT THIS TIME, GET PARLIAMENTARY SESSION RECESSED BY JULY 16, AND HOPE THROUGH CABINET RESTRUCTURING AND FRESH POLICY STATEMENT IN FALL THRONE SPEECH TO BE IN BETTER SHAPE TO COPE WITH ISSUE WHEN IT RE-ARISES, AS IT INEVITABLY WILL.
ENDERS

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